

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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DANNY R. CHESTINE JR.,

Plaintiff,

v.

NORTH LAS VEGAS JUSTICE COURT,

Defendant.

Case No. 2:23-cv-01674-GMN-EJY

ORDER

On October 13, 2023, Plaintiff submitted a document seeking to compel the North Las Vegas Justice Court to (1) allow Plaintiff to serve time on house arrest, (2) expedite an extradition process, and (3) appoint him counsel. To commence a civil action Plaintiff, who is pro se, must submit his Complaint on the form provided by the Court. *See* LSR 2-1. Plaintiff also did not pay the \$402 filing fee for a civil action or file an application to proceed *in forma pauperis*. Under 28 U.S.C. § 1914(a) a party seeking to initiate a civil action must pay the filing fee set by the Clerk of Court. If Plaintiff seeks to proceed without paying the filing fee he must submit an application to proceed *in forma pauperis* by a non-prisoner

Accordingly, IT IS HEREBY ORDERED that **no later than November 22, 2023**, Plaintiff must: (1) file a Complaint on the Court's form, and (2) either pay the \$402 filing fee or file a complete Application to Proceed *in forma pauperis* by a Non-Prisoner.

IT IS FURTHER ORDERED that the Clerk of Court **must** mail Plaintiff (1) the form Civil Rights Complaint, (2) instructions for completing the Complaint, (3) the application to proceed *in forma pauperis* by a non-prisoner, and (4) the instructions for completing this form.

IT IS FURTHER ORDERED that failure to file a Complaint on the Court's form and either pay the \$402 filing fee or file a complete application to proceed *in forma pauperis* on or before **November 22, 2023** will result in a recommendation to dismiss this action **without prejudice**. A dismissal without prejudice allows Plaintiff to file his case with the Court, under a new case number,

1 when he is able to comply with LSR 2-1 and file a complete application to proceed *in forma pauperis*
2 or pay the required filing fee.

3 IT IS FURTHER ORDERED that Plaintiff's Motion to Compel (ECF No. 1) is DENIED.

4 Dated this 17th day of October, 2023.

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7 ELAYNA J. YOUCHAK
8 UNITED STATES MAGISTRATE JUDGE
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